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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 SHERYL ANN JONES,

8 Plaintiff,

9 v.

10 MICHAEL J. ASTRUE, Commissioner
11 of Social Security Administration,

12 Defendant.

NO: 12-CV-0594-TOR

REMAND ORDER

13 BEFORE THE COURT is the parties' Stipulated Motion for Remand, ECF

14 No. 8. The parties have agreed that this case should be remanded pursuant to

15 sentence six of 42 U.S.C. § 405(g) because significant portions of the recording of

16 the hearing held on November 8, 2010 are inaudible. The parties further agreed

17 that upon receipt of this Court's Order of remand, the Appeals Council will remand

18 the case to an Administrative Law Judge for a *de novo* hearing.

19 Sentence six of § 405(g) authorizes the Court, on motion of the

20 Commissioner of Social Security made for good cause shown before the

1 Commissioner files the Commissioner's answer, [to] remand the case to the
2 Commissioner for further action by the Commissioner. 42 U.S.C. § 405(g). In a
3 sentence six remand, the court "does not affirm, modify, or reverse the Secretary's
4 decision; it does not rule in any way as to the correctness of the administrative
5 determination." *Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991).

6 The Court finds good cause exists for remand since portions of the recording
7 from the hearing before the Administrative Law Judge are inaudible.

8 **ACCORDINGLY, IT IS HEREBY ORDERED:**

9 1. The Parties' Stipulated Motion for Remand (ECF No. 8) is **GRANTED**.

10 This case is remanded pursuant to sentence six of 42 U.S.C. § 405(g) for
11 further administrative proceedings. Upon receipt of this Order, the
12 Appeals Council will remand the case to an Administrative Law Judge
13 for a *de novo* hearing. The Court retains jurisdiction.

14 The District Court Executive is hereby directed to file this Order, provide
15 copies to counsel, and administratively **CLOSE** this file subject to reopening when
16 the Commissioner shall file with the Court any such additional or modified
17 findings of fact and decision.

18 **DATED** this 17th day of January, 2013.

19 *s/ Thomas O. Rice*

20 THOMAS O. RICE
United States District Judge